

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kenneth D. Simone, Jr.  
Serial No.: 09/658,298  
Filed: September 8, 2000  
Group No.: 2142  
Examiner: Beatriz Prieto  
For: METHOD AND APPARATUS FOR COMMUNICATING  
DURING AUTOMATED DATA PROCESSING

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION (37 C.F.R. §1.321 (c)) AND  
CERTIFICATE UNDER 37 C.F.R. §3.73 (b)**

I, Karen Genge, of Corel Inc., represent that Corel Inc. is the assignee and the exclusive owner of the entire right, title and interest of, in and to application Serial No. 09/658,298, filed on September 8, 2000, for *Method and Apparatus for Communicating during Automated Data Processing*, as indicated by the Assignment Records of the U.S. Patent and Trademark Office to-wit:

- (1) Assignment from Kenneth D. Simone, Jr., to Image2web, Inc. recorded September 8, 2000 at Reel 011098, Frame 0324;
- (2) Merger between Image2web, Inc. and Corel Corporation (USA). This document was recorded April 23, 2002 at Reel 012840, Frame 0269; and
- (3) Change of Name from Corel Corporation (USA) to Corel Inc., effective November 16, 2001. This document was recorded April 23, 2002 at Reel 012840, Frame 0158.



That I have reviewed the evidentiary documents and certify that to the best of assignee's knowledge and belief, title is in the name of assignee seeking to take action; and that I am empowered to act on behalf of assignee.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. Furthermore, I declare that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

Corel Inc. hereby disclaims the terminal part of any patent granted on the above-identified application, that would extend beyond the expiration date of U.S. Patent No. 6,757,888 granted June 29, 2004, U.S. Patent No. 6,651,121 granted November 18, 2003, or any patent which may grant from U.S. Patent Application Serial No. 09/658,563 filed September 8, 2000, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,757,888, U.S. Patent No. 6,651,121, or any patent which may grant from U.S. Patent Application Serial No. 09/658,563, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Petitioner, however, does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term of the above-referenced U.S. Patent No. 6,757,888, U.S. Patent No. 6,651,121, or any patent which may grant from U.S. Patent Application Serial No. 09/658,563, in the event that one or more of the following occurs: U.S. Patent No. 6,757,888, U.S. Patent No. 6,651,121, or any patent which may grant from U.S. Patent Application Serial No. 09/658,563 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

ATTORNEY DOCKET NUMBER  
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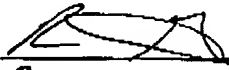
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The fee required by 37 C.F.R. 1.20(d) is submitted herewith and believed to be correct. However, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment of fees to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

Respectfully submitted,

Nov 8, 2004  
Date

  
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Karen Genge  
Assistant Treasurer, Corel Inc.